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**THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA**

GWICH'IN STEERING COMMITTEE,  
*et al.*,

Plaintiffs,

Case No. 3:20-cv-00204-SLG

Joint Status Report and Unopposed Mot. to Continue Stay

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v.  
DEBRA HAALAND, *et al.*,  
Defendants,  
and  
NORTH SLOPE BOROUGH, *et al.*,  
Intervenor-Defendants.

**JOINT STATUS REPORT AND UNOPPOSED MOTION TO CONTINUE STAY**

The Parties hereby respond to the Court's December 10, 2024 Text Order instructing the Parties to indicate what actions may be necessary to resume or resolve this litigation. ECF No. 111 (Dec. 10, 2024). Counsel for the parties in all four lawsuits challenging the 2020 Leasing Program have conferred. As Plaintiffs explained below, it is appropriate to continue the stay of proceedings because ongoing and pending actions may impact this litigation. As such, Plaintiffs and Defendants jointly propose, and no party opposes, that the Parties submit a Joint Status Report on or before February 28, 2025, regarding whether and how to proceed with this litigation. The Parties are filing similar Joint Status Reports and Motions for Additional Time to this effect in each of the four cases.

The request for additional time is based on the following, which may impact this litigation and inform the Parties' litigation decisions:

First, following the U.S. Department of the Interior's (Interior) adoption of a revised Leasing Program for the Coastal Plain of the Arctic National Wildlife Refuge on December 8, 2024, *see* Status Report, ECF No. 110 (Dec. 9, 2024), Interior announced that it will hold a lease sale on January 9, 2025. *See* Notice of Lease Sale and Notice of Detailed Statement of Sale for the Coastal Plain 2025 Oil and Gas Lease Sale, 89 Fed. Reg. 99270 (Dec. 10, 2024). Once the lease sale occurs, the Parties will know if any entities submitted bids for leases. It may take additional time for Interior to finalize any action regarding the bids. Additionally, Interior has committed that the agency temporarily will not issue any leases to third-party bidders that overlap with the Alaska Industrial Development and Export Authority's (AIDEA) prior leases issued pursuant to the challenged 2020 Leasing Program. *See Alaska Industrial Development and Export Authority v. U.S. Department of the Interior, et al.*, Case No. 3:24-cv-00051-SLG, Unopposed Motion for Extension of Time, ECF No. 86 (Dec. 6, 2024). Staying the present case until Interior determines whether to issue additional leases is appropriate because the Leasing Program defines the lease areas and lease terms and conditions, which are at issue in this case.

Second, additional time will allow the Parties to evaluate next steps in light of two pending lawsuits that are closely related to the present cases: (1) *Alaska Development and Export Authority, et al. v. Biden, et al.*, Ninth Circuit Case No. 24-2533; and (2) *Alaska Industrial Development and Export Authority v. U.S. Department of the Interior, et al.*, Case No. 3:24-cv-00051-SLG.

The first case seeks to overturn Interior’s actions to suspend leases and halt activities based on legal errors in the challenged 2020 Leasing Program. It is currently being briefed in the Ninth Circuit and the Plaintiffs-Appellants’ reply brief is due January 13, 2025. In adopting the revised Leasing Program, Interior stated that its record of decision “has the effect of lifting the halt of the leasing program activities imposed by [Secretarial Order] 3401” — one of the actions challenged in that case. *See* Coastal Plain Oil and Gas Program Record of Decision at 5, available at: [https://eplanning.blm.gov/public\\_projects/2015144/200492847/20124527/251024507/CoastalPlainSEIS\\_ROD\\_20241208\\_508.pdf](https://eplanning.blm.gov/public_projects/2015144/200492847/20124527/251024507/CoastalPlainSEIS_ROD_20241208_508.pdf). A stay would allow the parties to confer regarding the effect of Interior’s December 8, 2024 record of decision in that related case and determine whether there is any impact to the present litigation.

The second case is fully briefed and submitted to this Court for a decision. In that case, AIDEA seeks to reinstate the leases Interior issued under the challenged 2020 Leasing Program. Because the remedy AIDEA seeks in that case could impact the present case, a stay in this case is appropriate.

Following conferral, Defendants acknowledge that various events could occur in early 2025 that have the potential to affect the Coastal Plain Oil and Gas Program. Defendants further note, in light of the possibility of such events, that Plaintiffs do not wish to dismiss the above-captioned lawsuit at this time. Defendants agree that it may ultimately conserve the resources of the parties and the Court to continue the stay of

proceedings in this case until February 28, 2025, when the parties can revisit the status of this litigation.

Intervenor-Defendant State of Alaska does not oppose this request, while the other Intervenor-Defendants take no position.

Plaintiffs and Defendants therefore jointly request that this Court continue the stay of proceedings in this case to allow the Parties to consider the impacts of Interior's upcoming lease sale, as well as future agency and Court decisions, on the present case. The Parties will submit a Joint Status Report on or before February 28, 2025, to advise the Court of the Parties' positions regarding whether and how to proceed with this litigation.

Respectfully submitted this 31st day of December, 2024.

s/ Brook Brisson

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s/ Karimah Schoenhut (consent)

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Joint Status Report and Unopposed Mot. to Continue Stay

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CERTIFICATE OF SERVICE

I certify that on December 31, 2024, I caused a copy of the JOINT STATUS REPORT AND MOTION TO CONTINUE STAY and [PROPOSED] ORDER to be electronically filed with the Clerk of the Court for the U.S. District Court of Alaska using the CM/ECF system, which will send electronic notification of such filings to the attorneys of record in this case.

s/ Brook Brisson  
Brook Brisson